



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Schurr  
Serial No: 10/722,109  
Date Filed: November 25, 2003  
Invention: Medical Implant

Att'y Docket: 2757/101  
Examiner: Matthews, W.H.  
Art Unit: 3738

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**CERTIFICATE OF MAILING**

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Timothy M. Murphy

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Commissioner for Patents  
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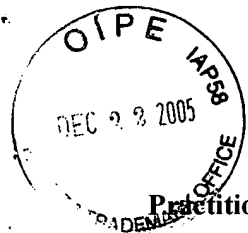
**RESPONSE UNDER 37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1773**

Dear Sir:

In response to the Office Action mailed on September 22, 2005,  
Applicants respond as follows.

**Amendments to the Claims** begin on page 2 in this paper.

**Remarks** begin on page 6 of this paper



AF  
JFW

Patentitioner's Docket No. 2757/101

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Marc O. Schurr

Application No.: 10/722,109

Group No.: 3738

Filed: 11/25/2003

Examiner: Matthews, W.H.

For: Medical Implant

**RESPONSE UNDER  
37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP  
3738**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT OR RESPONSE AFTER FINAL REJECTION--TRANSMITTAL

1. Transmitted herewith is an amendment after final rejection (37 C.F.R. 1.116) for this application.

**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***

*(When using Express Mail, the Express Mail label number is **mandatory**;  
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

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**37 C.F.R. § 1.8(a)**

■ with sufficient postage as first class mail.

**37 C.F.R. § 1.10\***

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**TRANSMISSION**

☐ facsimile transmitted to the Patent and Trademark Office. (703) \_\_\_\_\_

  
\_\_\_\_\_  
Signature

Date: December 20, 2005

Timothy M. Murphy

*(type or print name of person certifying)*

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

## STATUS

2. Applicant is other than a small entity .

## EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

## FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	OTHER THAN SMALL ENTITY			
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE		ADDIT. FEE
TOTAL	16	MINUS	28	= 0	x	\$ 50.00	= \$	0.00
INDEP	3	MINUS	3	= 0	x	\$ 200.00	= \$	0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM					+	\$ 0.00	= \$	0.00
TOTAL								\$ 0.00
ADDIT. FEE								

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3,

\*\* If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 1) is less than 20, enter "20".

\*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 2) is less than 3, enter "3".

The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

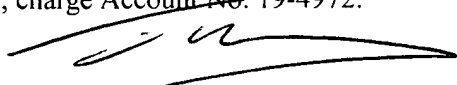
No additional fee for claims is required.

## FEE DEFICIENCY

5. If any additional extension and/or fee is required, charge Account No. 19-4972.

If any additional fee for claims is required, charge Account No. 19-4972.

Date: December 20, 2005

  
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